

**MEMORANDUM OF UNDERSTANDING
BETWEEN
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
AND
MICHIGAN DEPARTMENT OF AGRICULTURE**

This Memorandum of Understanding (MOU) between the Michigan Department of Environmental Quality, hereinafter referred to as the MDEQ, and the Michigan Department of Agriculture, hereinafter referred to as the MDA, is entered into for the purpose of identifying funding support for the Conservation Reserve Enhancement Program (CREP). The objective of the CREP is to improve and protect water quality and to promote enhanced wildlife habitat by providing private landowners incentives to implement conservation practices.

Funding for this MOU will be provided by the MDEQ from the Clean Michigan Initiative (CMI) Clean Water Fund (CWF), and the CMI Nonpoint Source (NPS) Pollution Control Grant. The MDEQ Surface Water Quality Division (SWQD) is the administrative/fiscal agent for the MDEQ, whose project representative is the Division Chief. The MDA Environmental Stewardship Division is the administrative/fiscal agent for the MDA, whose project representative is the Division Director.

MDEQ and MDA agree to the following:

1. This MOU shall be effective October 1, 2000, and shall extend through December 31, 2016. This memorandum may be subject to renegotiations necessitated by actions of the Michigan Legislature, the Governor, or for any other reason deemed necessary and agreed to by both parties.
2. The MDEQ will provide the MDA up to \$5 million toward the CREP from the CMI CWF, to be used in accordance with the CWF rules (R324.8915).
 - a. The CMI CWF will be used for the establishment of permanent conservation easements and as cost-share for establishment of the following conservation practices:

| | |
|------|--------------------------------------|
| CP5A | Field Windbreaks |
| CP21 | Filter Strips |
| CP22 | Riparian Buffers |
| CP23 | Wetland Restoration |
| CP26 | Sediment Retention Control Structure |
 - b. The CMI CWF will also be used to fund the implementation of CREP practices through local units of government or conservation districts in the CREP watersheds. The MDA agrees to administer the grants to local units of government or conservation districts for the delivery of technical assistance. The MDEQ will provide guidance and have approval over the targeting of CREP activities in critical subwatersheds to achieve water quality improvements and protection.
 - c. The CMI CWF will not be used for the MDA salaries or other administrative costs.

- d. The MDA shall submit quarterly reports to the SWQD on the CMI CWF expenditures within the CREP watersheds. The quarterly reports shall identify by county, township, range, and section the acres of each CREP practice installed utilizing the CMI CWF. If available, latitude and longitude data will also be included in the report. The report shall also include the CMI CWF expenditures for each CREP practice and/or easement. Quarterly reports will be submitted to the SWQD no later than thirty (30) days after the end of each quarter.
 - e. The MDA shall submit to the MDEQ quarterly CMI CWF financial reports for reimbursement no later than thirty (30) days after the close of the quarter, using the standard inter-agency format. There will be no advance payment requests. Reimbursement may be requested more frequently, as deemed necessary by the MDA, if agreed to in advance by both parties.
 - f. The MDEQ will reimburse MDA upon receiving the quarterly reports.
 - g. The MDEQ will establish all necessary work project requests to ensure that the funds are carried forward.
3. The MDEQ and the MDA recognize that the SWQD administers the CMI Nonpoint Source Pollution Control Grant program. It is further recognized that some of the grants awarded under this program will be eligible to be counted as state match for the CREP. The exact amount of CMI Nonpoint Source grant funds that will be eligible to be counted as CREP state match will be subject to the applications received and awarded through the standard CMI Nonpoint Source Pollution Control Grant process. The MDEQ and the MDA envision that approximately \$4 million of Nonpoint Source awards may be eligible to be counted as CREP state match.
- a. The CMI NPS Pollution Control Grant will be used for: (1) the establishment of permanent conservation easements; (2) as cost-share for establishment of the following conservation practices:
 - CP5A Field Windbreaks
 - CP21 Filter Strips
 - CP22 Riparian Buffers
 - CP23 Wetland Restoration
 - CP26 Sediment Retention Control Structure;
- and (3) for the following practices in the Livestock Access Program:
- Fencing (only for excluding livestock access to surface waters)
 - Livestock Crossings
 - Filter Strips
 - Alternative Water Source
 - Additional Practices Needed to Reduce Livestock Impacts to Surface Waters
- b. The SWQD shall submit an annual report to the MDA on the CMI NPS Pollution Control Grant awards and expenditures within the CREP watersheds. The report shall identify by county, township, range, and section the acres of each CREP


practice installed or easement established utilizing the CMI NPS funds. If available, latitude and longitude data will also be included in the report. The report shall also include the CMI NPS fund expenditures for implementing the CREP practices and/or easements. The annual report will be submitted to the MDA by November 30th of each year. The SWQD shall forward a copy of all quarterly progress reports from the CMI NPS Pollution Control Grants where the CREP practices have been implemented.

4. Through the implementation of the MDEQ statewide water quality monitoring strategy, the MDEQ will monitor the CREP watersheds to evaluate the effectiveness of the CREP. The estimated monitoring budget will be a minimum \$1.7 million (CMI CWF Monitoring Funds and the SWQD General Funds) over the 15 years of the agreement. The MDEQ shall submit an annual report to the MDA on water quality monitoring activities. The report shall include expenditures for monitoring in the individual CREP watersheds, the data collected, and an analysis of the data. The monitoring report will be submitted to the MDA by November 30th of each year.

FOR THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY:

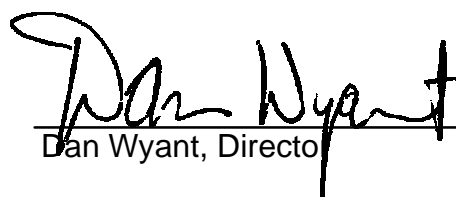


Russell J. Harding Director




Date

FOR THE MICHIGAN DEPARTMENT OF AGRICULTURE:



Dan Wyant, Director



Date